

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

**MILES RAYMOND SPANGLER,
Personal Representative of the Estate
of SCOTT GABRIEL SPANGLER,
Deceased,**

No. 3:21-cv-01378-SB

Plaintiff,
v.

OPINION AND ORDER

**POLK COUNTY INTERAGENCY
NARCOTICS TEAM; DALLAS
POLICE DEPARTMENT;
INDEPENDENCE POLICE
DEPARTMENT; OREGON STATE
POLICE; POLK COUNTY
SHERIFF'S OFFICE; POLK
COUNTY; and DARREN
BUCHHOLZ,**

Defendants.

BAGGIO, District Judge:

On November 18, 2024, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) (ECF 58), recommending that this Court grant Defendants’ Motion for Summary Judgment (ECF 42). Plaintiff filed timely objections on December 2, 2024 (ECF 60). Defendants responded on December 16, 2024 (ECF 61). This Court ADOPTS Judge Beckerman’s F&R (ECF 58) in full.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. § 636(b)(1)(C). If a party objects, the court “shall make a de novo determination of those portions of the report or specified proposed findings or

recommendation to which objection is made.” *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

The Court has carefully considered Plaintiff’s objections and concludes that there is no basis to modify the F&R. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in Judge Beckerman’s F&R.

CONCLUSION

The Court ADOPTS Judge Beckerman’s Findings and Recommendation (ECF 58). Therefore, Defendants’ Motion for Summary Judgment (ECF 42) is GRANTED.

IT IS SO ORDERED.

DATED this 18th day of February, 2025.

Amy M. Baggio

AMY M. BAGGIO
United States District Judge